



STATE OF DELAWARE
EXECUTIVE DEPARTMENT
OFFICE OF
STATE PLANNING COORDINATION

April 15, 2005

Mr. Lawrence Lank
Sussex County Planning & Zoning
P.O. Box 417
Georgetown, DE 19947

RE: PLUS 2004-12-04; Beaver Creek – Phase 3

Dear Mr. Lank:

The Office of State Planning has received a letter from Mr. Kevin Burdette of McCrone in response to our PLUS comments on the above reference project. While this letter is dated February 16, 2005, it was received by this office March 25, 2005.

It should be noted that this project is located in a Level 4 area according to the Strategies for State Policies and Spending. The State does not support this development and will not support or participate in any improvements necessary to serve this development. We remain particularly concerned about the increase in the number of units from 100 to 154 by virtue of utilizing the cluster ordinance, especially because of its location outside of an area where State and County governments have planned for growth.

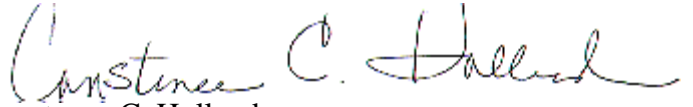
In reviewing the response to the State comments from Mr. Kevin Burdette, we are pleased to see that a stub street was added to connect with the Sherman parcel, as requested by DeIDOT.

In the response letter, Mr. Burdette responded to the State Fire Marshal's Office comments regarding the water distribution system by stating "Water distribution for storage is not required for this project." This comment is incorrect. According to the State Fire Marshal's Office, the waste water treatment building has a storage occupancy designation; therefore 1500 gpm @ 20 psi does apply. The State Fire Marshal's Office also commented that if bulk propane is proposed other parts of the DE State Fire Prevention Regulations apply.

With the exception of the inclusion of a stub street to the adjacent parcel, it appears that no additional changes have been made to the site plan in response to January 7, 2005 comments. Therefore, our original comments stand and we ask that the County consider our comments when reviewing this site plan for approval.

If you have any questions, please contact me at 302-739-3090.

Sincerely,

A handwritten signature in dark ink, appearing to read "Constance C. Holland". The signature is fluid and cursive, with the first name "Constance" being more prominent and the last name "Holland" following in a similar style.

Constance C. Holland
Director

CC: Mr. Kevin Burdette, McCrone, Inc.

Attachments: PLUS response letter dated 1-7-05
Response from developer dated 2-16-05